

# **EXHIBIT D**

Highly Confidential - Hernan F. Gomez, M.D.

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

-----) Civil Action No.:  
IN RE: FLINT WATER CASES ) 5:16-cv-10444-JEL-MKM  
 ) (consolidated)  
 )  
 ) Hon. Judith E. Levy  
-----) Mag. Mona K. Majzoub

HIGHLY CONFIDENTIAL  
VIDEOTAPED DEPOSITION OF HERNAN F. GOMEZ, M.D.

Monday, September 14, 2020

Remote oral videotaped deposition of HERNAN F. GOMEZ, M.D., conducted at the location of the witness in Michigan, commencing at approximately 9:07 a.m., on the above date, before JULIANA F. ZAJICEK, a Registered Professional Reporter, Certified Shorthand Reporter, Certified Realtime Reporter and Notary Public.

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1 Q. Yeah. He asked you some questions to  
2 start the deposition this morning.

3 Do you remember that?

4 A. I do.

5 Q. Are you aware that in late January, early  
6 February 2015 a gentleman named Rob Nicholas at Veolia  
7 sent an e-mail that he asked the information contained  
8 therein not to be shared and within that e-mail said  
9 that lead seems to be a problem in the water in Flint?

10 MR. PENHALLEGON: Object to the form and  
11 foundation.

12 BY THE WITNESS:

13 A. I'm not aware of that e-mail, no.

14 BY MR. STERN:

15 Q. Do you find it ironic that Mr. Penhallegon  
16 is trying to use you as an expert witness to say that  
17 no children were hurt in Flint while simultaneously  
18 hiding the fact through his clients that lead was in  
19 the water and it shouldn't be shared with folks?

20 MR. PENHALLEGON: Object to the form and  
21 foundation.

22 BY THE WITNESS:

23 A. I'm not aware I'm being used as an expert  
24 witness.